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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC

the matter of FCC proposing
licensed low power FM radio;
changing engineering, service
rules for new system

MM DOCKET # 99-25

COMMENTS OF:

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SUMMARY

I, Randal J. Miller, president of Miller Communications, Inc., licensee of WTIM(FM)-WMKR(FM) Taylorville, Illinois; and Virden Broadcasting Corp., licensee of WXXO(FM) Pana, IL, WRAN(FM) Tower Hill/Shelbyville, IL, WKEI(AM) and WJRE(FM) Kewanee, IL; file these comments on April 11, 1999, on the FCC's MM Docket # 99-25, low power FM radio proposal.

In summary, I respectfully ask the Commission to consider these points when deciding whether and what kind of low power FM radio service will be authorized:

1. Engineering concerns.
2. Will not provide diversity of ownership.
3. Other ways of transmission.
4. Economic hardship of those wanting low power FM stations.
5. Hurting the economic base of existing small-market broadcasters.

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DETAILS TO SUMMARY POINTS

Point # 1: Engineering concerns. The FCC's proposed actions on low power FM, is the same mistake that it made to the AM band some years back. The FCC shoe-horned in more AM radio stations than the band could handle engineering-wise, and listeners as well as broadcasters around the country, now have an AM band that is over-congested, and in many areas of the country, non-listenable unless you have a strong signal coming into your radio.

The lessening of spacing requirements as proposed in MM Docket #99-25, will harm the transmission of local emergency information by local radio stations such as ourselves. Our transmission of radio signals in small markets, where the majority of proposed low power FM stations could fit, will be irreparably harmed if low power stations are thrown in across the FM band.

Proposed interference protection criteria that would eliminate second and third-adjacent channel interference protection, will only clog the FM band with more signals that will in many areas not be listenable, and create interference that will ultimately make the FM band the mess that was created on the AM band years ago.

The Commission itself has for years said that low power FM radio stations, are an inefficient use of the FM spectrum. The Commission, in fact, tried doing away with the 10-watt class "D" FM educational radio stations, stating they were an inefficient use of the spectrum. What has now changed that makes such low power stations an efficient use of the spectrum?

And, with "in-band, on-channel" digital transmission of FM signals a distinct possibility in the very near future, such low power FM radio stations

could hinder implementation of such technology, putting radio in general behind the race for a high-quality, CD-like transmission of terrestrial audio.

Point # 2: Diversity of ownership of the airwaves. The FCC's concerns for diversity led it to the FM Docket 80-90 fiasco, where hundreds of new FM radio stations were shoehorned into a band that wasn't congested yet, but becoming so. And what do we have to show for it today in the way of diversity? According to the February 25, 1999 edition of the Small Market Radio Newsletter, long-time broadcaster Bob Doll writes that "in 1993 there were 200 black-owned U.S. radio stations--2% of the total stations on the air. 6 years later, there were 168 (32 fewer)--1.6% of the total." Bottom line: adding more FM stations as a result of Docket 80-90 DID NOT increase the diversity of radio ownership in the United States!

It appears as though the FCC is trying to "fix" its perceived lack of diversity resulting from Congress' passage of the Telcom Act of 1996, thru this proposed docket. Such a band-aid measure will only cause interference with existing FM radio service, and ultimately serve fewer listeners in the end, simply because of the interference that will be caused to the existing service.

The Commission, it further appears, has only provided those expressing an interest in low power FM radio, with just one side of the issue, on its web site and in other news releases. The concerns expressed by this commenter, as well as thousands of others, have never been a part of the Commission's treatment of this docket.

Point # 3: Other ways of transmission for those wishing to express alternative ideas. Without clogging the existing FM spectrum, there are many other vehicles that those with ideas they wish to express, to do so, such as:

a. Audio transmission on the Internet. It is now very inexpensive to transmit audio via an Internet web site...much less expensive, in fact, than building a low power FM radio station! And, the universe that can hear such audio, is world-wide, not just in the next block as low power FM would be.

b. Purchasing time on existing AM or FM radio stations. There are radio stations in every market size in the country, that offers people with views to express, the opportunity to do so, either by purchasing time on radio stations, or in the case of our own radio stations, FREE of charge! Part of the service we provide to our own communities, is covering both sides of any story, and we offer such time absolutely FREE of charge in order to have both sides of a story covered.

Point # 4: Economic hardship of those wanting low power FM stations. As a broadcaster for 26 years, I personally know the costs involved in building and operating radio stations. I feel that even if a person is granted a license to build a low power FM radio station, how are they going to do such things as continue to abide by and meet FCC rules and regulations, make payroll, pay for music licensing to ASCAP, BMI and SESAC? They likely will not have the financial resources to support such an operation. Who will likely bale them out? Look at Docket 80-90....it will once again be the existing broadcasters that will take the frequency and do something with it, after the low power operator has gone broke.

Point # 5: Hurting the economic base of existing small-market broadcasters. If low power FM radio stations are allowed to go on the air--whether they are allowed to sell commercial advertising as their full-power counter parts, or if they offer underwriting announcements--either option in small markets will only hurt the service small market radio stations such as ours, provides our communities. We are able to provide extensive local news and weather coverage, Little League and high school sports play by play, and community interviews on a daily basis, because of one thing--
ADVERTISING REVENUE. Cut that only source of revenue--whether it's thru allowing low power FM stations to sell commercial advertising or underwriting--and you've undermined the ONLY source of revenue small market radio stations have to continue to provide service to our communities!

I can further tell you from 26 years of personal experience, that I'm not getting rich owning and operating 6 small market radio stations. I do it because I love the business I'm in, I love the communities I serve (one of which is my own hometown), and I love the people in the small town businesses we serve. It's becoming increasingly difficult to make money in small market radio, as the "mom-and-pop" businesses continue to try up, and the out-of-state franchise businesses that do NO small town radio advertising, move in.

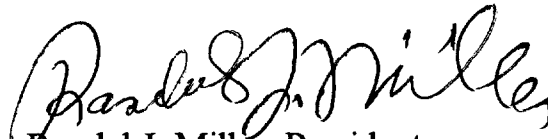
In Taylorville, IL, alone, we've lost 2 women's clothing stores, a men's clothing store, and a shoe store, from our city square, all since the first of the year, and one other variety store moved from our square to the edge of town where more traffic passes by. Bottom line: we're losing the base of business that small market radio has depended on to sustain itself, for some 50 years.
To

slice that small market advertising pie up even more, will be the death knell for small market radio around the country...including in the markets we serve.

In conclusion, I am fearful that this proposal will horribly damage the integrity of radio broadcasting in the United States, and I would encourage the Commission to dismiss this docket for the reasons stated above.

April 11, 1999

Respectfully submitted,
MILLER COMMUNICATIONS, INC.
VIRDEN BROADCASTING CORP.



Randal J. Miller, President